

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/898,417	07/03/2001	Michael R. Rosen	65219-A/JPW/PJP/WWH

CONFIRMATION NO. 3315

FORMALITIES LETTER



\*OC00000006425258\*

Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, NY 10036

Date Mailed: 08/15/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/08/2002 ANABI1 00000068 09898417

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65.00 OP

Michael R. Rosen et al.  
Serial No.:09/898,417  
Filed: July 3, 2001  
Page 2

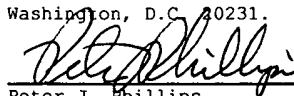
Declarations (Exhibit C). These Declarations should establish applicant as small entity.

A check in the amount of SIXTY-FIVE DOLLARS (\$65.00) is enclosed in payment of the surcharge.

No additional fee other than the one month extension fee of \$55, and the surcharge fee of \$65, a check for which are enclosed, is deemed necessary in connection with this Communication. In the event that any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account 03-3125.

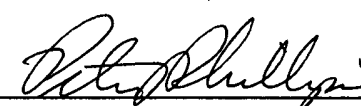
Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents,  
Washington, D.C. 20231.

  
Peter J. Phillips  
Reg. No. 29,691

Date

11/15/01

  
John P. White  
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Dkt. 65219-A/JPW/PJP

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Michael R. Rosen et al.

Serial No. : 09/898,417 —

Filed : July 3, 2001

For : A HIGH THROUGHPUT BIOLOGICAL HEART RATE  
MONITOR THAT IS MOLECULARLY DETERMINED

01/08/2002 ANABI 00000068 09898417  
02 FC:215 55.00 OP

1185 Avenue of the Americas  
New York, New York 10036  
November 15, 2001

Assistant Commissioner for Patents  
Washington, D.C. 20231

SIR:

**COMMUNICATION IN RESPONSE TO NOTICE TO  
FILE MISSING PARTS OF APPLICATION AND  
PETITION FOR ONE MONTH EXTENSION OF TIME**

In response to a Notice to File Missing Parts of Application dated August 15, 2001 under C.F.R. § 1.53(b) (Exhibit A) and in compliance with 37 C.F.R. § 1.63, applicants herewith enclose for filing original Declaration and Power of Attorney (Exhibit B). The Declaration refers to the application's above-identified serial number and filing date. In accordance with the August 15, 2001 Notice, the deadline for submitting the original Declaration was October 15 2001. Applicant hereby petitions for a one month extension of time, from October 15, 2001 to November 15, 2001 to respond to the notice. The fee for a one month extension for a small entity is \$55, and a check for this amount is enclosed. A response is now due November 15, 2001. Therefore, this response is timely filed.

Applicant also submits herewith original Small Entity